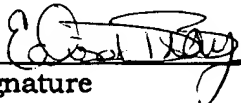


PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to Commissioner of Patents and Trademarks, Washington, D.C. 20231 on May 9, 2002.


Signature

Applicant : Keiko Matsubara, et al.
Application No. : 09/672,287
Filed : September 28, 2000
Title : **NEGATIVE ACTIVE MATERIAL FOR RECHARGEABLE LITHIUM BATTERY ELECTRODE FOR RECHARGEABLE LITHIUM BATTERY, RECHARGEABLE LITHIUM BATTERY AND METHOD OF PREPARING NEGATIVE ACTIVE MATERIAL FOR RECHARGEABLE LITHIUM SECONDARY BATTERY**

Grp./Div. : 1745
Examiner : Dah Wei D. Yuan

Docket No. : 40589/DBP/Y35

RULE 132 DECLARATION

Assistant Commissioner for Patents
Washington, D.C. 20231 May 8, 2002

Post Office Box 7068
Pasadena, CA 91109-7068

Commissioner:

I, Kyou-Yoon Sheem, hereby declare that:

1. I received a bachelor's degree in chemical engineering from Chung-nam National

Techwin Co., Ltd. from 1993 to 1995. I have been employed by Samsung SDI Co., Ltd. and a Research Fellow at the research and development center since 1995.

2. My responsibilities have included active involvement in the development, study, and use of negative active material of rechargeable lithium batteries, binder material, structural design of negative electrodes, etc. I have been involved in many patent applications of Samsung SDI Co., Ltd. in relation to negative active materials, especially carbonaceous material doped or coated with other substances to enhance battery performance. I consider myself an expert in the field of negative active materials of rechargeable lithium batteries.

3. I have reviewed U.S. Application No. 09/672,287. I understand that the application claims, *inter alia*, a negative active material for a rechargeable lithium battery comprising a particle-agglomerated product comprising a carbonaceous material and an amorphous metal compound, the carbonaceous material being a material into or from which lithium is intercalated or deintercalated, and the amorphous metal compound being able to make an alloy with lithium and including one or more metals selected from the group consisting of Sn, Ag, Fe, Pd, Pb, Al, Si, In, Ni, Co, An and Cd.

4. The particle-agglomerated product produced as described in U.S. Patent Application No. 09/672,287 is a composite produce in which an amorphous metal compound and carbonaceous material are integrated through coating and agglomerating processes using an agglomerating device and calcination process. The resulting particle-agglomerated product is in the form of a powder.

5. I have reviewed U.S. Patent No. 6,004,695 to Goda et al. Goda describes a method whereby an amorphous tin-based composite oxide (a negative active material), a flake binder (a conductive agent), a polyvinylidene fluoride dispersion (a binder), carboxymethyl cellulose (a binder), and lithium acetate (an additive) are kneaded in water to prepare a slurry.

The slurry is coated onto copper foil and dried, and then the coated copper foil is compressed to prepare a negative electrode. This process does not produce a negative active material in particle-agglomerated form, but instead produces a slurry.

6. In my opinion, as an expert in the field of negative active materials of rechargeable lithium batteries, the Goda patent does not describe a negative active material in particle-agglomerated form, as claimed in U.S. Patent Application No. 09/672,287.

7. I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date May 8, 2002

By

K.Y. Sheem

Kyou-Yoon Sheem